IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

Crl.Rev.Pet.No. 1132 of 2000()

CRL.A.NO.329/1999 OF ADDL.SESSIONS JUDGE, ERNAKULAM
C.C.NO.981/1997 OF JFCM-I, ERNAKULAM

REVN. PETITIONER:

SASI @ AMBA SASI,
S/O.KRISHNAN NAIR,
NANDYETH THAZHUMATTATHIL,
WARD NO.VI., CHOTTANIKKARA,
DESOM, KUREEKKADU VILLAGE,
KANAYANNUR TALUK.

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
THE EXCISE INSPECTOR,
TRIPUNITHURA RANGE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.5960/2000 IN CRL.R.P.NO.1132/2000

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

14/11/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

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Crl. R.P.No.1132 of 2000-C

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Dated this the 14th day of November, 2007

O R D E R

The revision petitioner is the accused in C.C.No.981/1997 in the file of the Judicial Magistrate of the First Class Court-I, Ernakulam, who stands convicted for the offence under Section 55(a) of the Abkari Act and sentenced to undergo simple imprisonment for three months and to pay a fine of Rs.25,000/- and in default to undergo simple imprisonment for two months.

2. The counsel for the revision petitioner has only sought for modification of the sentence. It is submitted that more than ten years have elapsed since the commencement of the proceedings and that the quantity involved is only 1.5 litres of arrack. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a fine of rupees twenty-five thousand and in default to undergo simple imprisonment for two months. The revision petitioner/accused is granted three months time to remit the fine amount. He shall appear before the Judicial Magistrate of the First Class-I, Ernakulam, on 13/02/2008 to receive the sentence. The criminal revision petition is disposed of as above.

Sd/-
K.R.UDAYABHANU,
Judge

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